

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO. 04-_____
	:	
v.	:	DATE FILED: _____
	:	
CARLOS DURAN-NINA	:	VIOLATION: 8 U.S.C. §1326(a) and (b)(2)
a/k/a "Carlos Nestor Diaz"	:	( Aggravated reentry - 1 count)
a/k/a "Carlos Manuel Colello"	:	Notice of Prior Conviction

**INDICTMENT**

**COUNT ONE**

THE GRAND JURY CHARGES THAT:

On or about February 11, 2004, at Philadelphia, in the Eastern District of  
Pennsylvania, defendant

CARLOS DURAN-NINA,  
a/k/a "Carlos Nestor Diaz"  
a/k/a "Carlos Manuel Colello"

an alien, being a citizen of the Dominican Republic, who had previously been deported from the United States on or about April 20, 1999, was thereafter found in the United States, having knowingly and unlawfully reentered the United States without first applying to the United States Attorney General or his successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202 (3) and (4) and 557), for permission to reapply for admission, and without receiving in response the express consent of the Attorney General or his successor to reapply for admission.

In violation of Title 8, United States Code, Sections 1326(a) and (b)(2).

**NOTICE OF PRIOR CONVICTION**

THE GRAND JURY FURTHER CHARGES THAT:

Defendant CARLOS DURAN-NINA, a/k/a “Carlos Nestor Diaz” and “Carlos Manuel Colello” committed the offense charged in Count One of this Indictment after being convicted of the following felony offense:

(1) On or about July 6, 1993, the defendant was convicted in the Court of Common Pleas, Cuyahoga County, State of Ohio, for drug trafficking, CR284487.

A TRUE BILL:

\_\_\_\_\_  
FOREPERSON

\_\_\_\_\_  
PATRICK L. MEEHAN  
United States Attorney